

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CIVIL ACTION NO. 7:25-CV-000973-D-BM

JASON HEWETT, individually and on)
behalf of all others similarly situated,)
Plaintiff,) **UNOPPOSED MOTION FOR**
) **EXTENSION OF TIME TO**
) **RESPOND TO COMPLAINT**
v.)
ENJOY THE CITY NORTH, INC.)
d/b/a SAVEAROUND,)
Defendant.)

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendant Enjoy the City North, Inc. d/b/a SaveAround (“SaveAround”), moves the Court for an extension of time to respond to the complaint. In support of this motion, SaveAround respectfully shows the following:

1. Plaintiff Jason Hewett filed a complaint asserting claims, on behalf of himself and a proposed class, for alleged violation of the Telephone Consumer Protection Act of 1991 and North Carolina General Statute § 75-102. (DE 1).
2. A proposed summons was issued on May 22, 2025. (DE 3). On June 17, 2025, SaveAround filed a pro se answer to the complaint. (DE 5). The following day, Mr. Hewett moved to strike the pro se answer on the ground that an entity may not represent itself in court. (DE 7).

3. On July 8, 2025, SaveAround filed a pro se motion for an extension of time to obtain counsel and acknowledged that it could not represent itself. (DE 8). The Court granted the motion and ordered that SaveAround had until August 29, 2025, to retain counsel and have counsel file a notice of appearance. (DE 10).

4. SaveAround retained the undersigned counsel, who entered a notice of appearance in this action on August 29, 2025. (DE 11).

5. SaveAround concedes that it cannot represent itself and thus its pro se answer is not a proper response to the complaint and should be withdrawn or stricken. SaveAround has worked diligently and in good faith to identify and retain counsel to respond to the complaint. Undersigned counsel was retained on August 27, 2025. Due to the recency of undersigned counsel's retention, however, SaveAround reasonably requires additional time to consult with counsel and prepare its response to the complaint. There is good cause for an extension because undersigned counsel must conduct an adequate factual investigation and legal analysis before preparing and filing a response to the complaint. SaveAround respectfully requests that the Court extend the time for SaveAround to file its response to the complaint, up to and including September 22, 2025.

6. Undersigned counsel contacted counsel for Mr. Hewett regarding SaveAround's intent to file this motion. Mr. Hewett does not object to the extension sought by this motion.

7. This motion is made in good faith and not for the purpose of delay.

The extension sought will not unduly delay the progress of this case.

For the reasons stated above, SaveAround respectfully request that the Court grant this motion and extend the time within which it may respond to the complaint up to and including September 22, 2025.

This the 28th day of August, 2025.

ELLIS & WINTERS LLP

/s/ Kelly Margolis Dagger
Kelly Margolis Dagger
N.C. State Bar No. 44329
Post Office Box 33550
Raleigh, North Carolina 27636
Telephone: (919) 865-7000
Facsimile: (919) 865-7010
kelly.dagger@elliswinters.com

*Counsel for Defendant Enjoy the City
North, Inc. d/b/a SaveAround*